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**FACSIMILE TRANSMISSION****SECOND REQUEST**

DATE: MARCH 3, 2005

CLIENT-MATTER NO.: 16010-09591

To:

NAME	FAX No.	PHONE No.
U.S. Patent & Trademark Office	703-872-9306	703-308-6673

FROM: David K. Varn

PHONE: (650) 335-7183

SENT BY: Cathy Kenyon

PHONE: (650) 943-5185

E 8 43

NUMBER OF PAGES WITH COVER PAGE: 7

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**MESSAGE:**

Please see attached.

Re: 09/800,080

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16010/09591/DOCS/1484807.1

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**FACSIMILE TRANSMISSION****CONFIDENTIAL****DATE:** December 7, 2004**CLIENT-MATTER No.:** 16010-09591**To:**

NAME	FAX No.	PHONE No.
U.S. Patent & Trademark Office	703-872-9306	703-308-6673

**FROM:** David K. Varn**PHONE:** (650) 335-7183**SENT BY:** Cathy Kenyon**PHONE:** (650) 943-5185**NUMBER OF PAGES WITH COVER PAGE:** 4**ORIGINAL WILL NOT FOLLOW****MESSAGE:**

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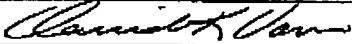
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16010/09591/DOCS/1484807.1

<b>TRANSMITTAL FORM</b> (to be used for all correspondence during pendency of filed application)	Application Number	09/800,080	
	Filing Date	March 5, 2001	
	First Named Inventor	Steven J. Schaffer	
	Group Art Unit Number	2152	
	Examiner Name	Not yet known	
Total Number of Pages in This Submission	3	Attorney Docket Number	16010-09591

ENCLOSURES (check all that apply)	
<input type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Check Enclosed	<input type="checkbox"/> Issue Fee Transmittal
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<input type="checkbox"/> Response to Notice to File Missing Parts	<input type="checkbox"/> Formal Drawing(s): [ ] Sheet(s) of Figure(s) [ ]
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<input type="checkbox"/> Declaration	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited References	<input checked="" type="checkbox"/> Statement Under 37 CFR 3.73(b)
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REMARKS:	

SIGNATURE OF ATTORNEY OR AGENT			
Signature:			
Attorney/Reg. No.:	David K. Varn, Reg. No. 53,718	Dated:	December 7, 2004

CERTIFICATE OF FACSIMILE TRANSMISSION			
I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: Commissioner for Patents at the facsimile number indicated below.			
Signature:			
Typed or Printed Name:	David K. Varn	Dated:	December 7, 2004
Facsimile Number:	703-872-9306		

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Compuware CorporationApplication No./Patent No.: 09/800,080Filed/Issue Date: March 5, 2001Entitled: Method For Performing Response Time Analysis Of Network PerformanceCompuware Corporation, aCorporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From Steven J. Schaffer and Jacob Weil To: Compuware Corporation  
The document was recorded in the United States Patent and Trademark Office at  
Reel 012532, Frame 0195, or for which a copy thereof is attached.

2. From \_\_\_\_\_ To: \_\_\_\_\_  
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

7 Dec. 2004  
Date

(650) 335-7183

Telephone number

David K. Varn, Reg. No. 53,718

Typed or printed name

David K. Varn

Signature

Attorney

Title

16010/09591/DOCS/1484733.1

**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby appoint:

☒ Practitioners associated with the Customer Number

758

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).


Assignee Name and Address:

Compuware Corporation  
One Campus Martius  
Detroit, MI 48226

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/98 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	Thomas Costello, Jr.	Date	10/5/04
Signature		Telephone	(313) 227-7810
Title	Senior Vice President and General Counsel		

## MEMORY TRANSMISSION REPORT

PAGE : 001  
TIME : DEC-07-04 03:01PM  
TEL NUMBER1: 650 938 5200  
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NAME : Fenwick & West Mountain View

FILE NUMBER : 036  
DATE : DEC-07 03:00PM  
TO : 650 938 5200  
DOCUMENT PAGES : 004  
START TIME : DEC-07 03:00PM  
END TIME : DEC-07 03:01PM  
SENT PAGES : 004  
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\*\*\* SUCCESSFUL TX NOTICE \*\*\*



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## FACSIMILE TRANSMISSION

CONFIDENTIAL

DATE: December 7, 2004

CLIENT-MATTER NO.: 16010-09591

TO:	NAME	FAX NO.	PHONE NO.
	U.S. Patent & Trademark Office	703-872-9306	703-308-6673

FROM: David K. Vam  
SENT BY: Cathy Kenyon

PHONE: (650) 335-7183  
PHONE: (650) 943-5186

NUMBER OF PAGES WITH COVER PAGE: 4 ORIGINAL WILL NOT FOLLOW

## MESSAGE:

Please see attached.

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DATE: December 7, 2004		CLIENT-MATTER NO.: 16010-09581						
<table border="1"> <tr> <th>NAME</th> <th>FAX NO.</th> <th>PHONE NO.</th> </tr> <tr> <td>U.S. Patent &amp; Trademark Office</td> <td>703-872-8306</td> <td>703-308-8873</td> </tr> </table>			NAME	FAX NO.	PHONE NO.	U.S. Patent & Trademark Office	703-872-8306	703-308-8873
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